UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON RESEARCH FOUNDATION, a Washington Corporation,
Plaintiff,

vs.

SONY ERICSSON MOBILE COMMUNICATIONS AB, a Swedish Joint Venture; SONY ERICSSON MOBILE COMMUNICATIONS (USA) INC., a Delaware Corporation;, LG ELECTRONICS, INC., a Republic of Korea Corporation; and LG ELECTRONICS MOBILECOMM U.S.A., INC., a California Corporation; SAMSUNG ELECTRONICS COMPANY, LIMITED, a Republic of Korea Corporation; SAMSUNG ELECTRONICS AMERICA, INCORPORATED, a New York Corporation, NOKIA CORPORATION, a Finnish Corporation; NOKIA INCORPORATED, a Delaware Corporation,

Defendants.

NO.

COMPLAINT

JURY DEMAND

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Plaintiff Washington Research Foundation complains against defendants Sony Ericsson Mobile Communications AB and Sony Ericsson Mobile Communications (USA) Inc. (collectively, "Sony Ericsson"), LG Electronics, Inc. and LG Electronics Mobilecomm U.S.A., Inc. (collectively, "LGE"), Samsung Electronics Company, Limited and Samsung Electronics America, Incorporated (collectively, "Samsung"), Nokia Corporation and Nokia Incorporated (collectively, "Nokia") as follows:

I. PARTIES, JURISDICTION AND VENUE

1. This action arises under the Patent Laws of the United States, 35 United States Code. This Court has jurisdiction of this action under 28 U.S.C. § 1338(a).

2. Washington Research Foundation (also referred to as "WRF") is an independent nonprofit Washington State 501(c)(3) organization based in Seattle, Washington. Washington Research Foundation was created in 1981 and is mandated by federal statute to review technology disclosures by the University of Washington and other Washington research institutions, obtain protection for such technology through patents, copyrights, or other means, and provide for the license, sale, or other exploitation of such technology. The activities of the Washington Research Foundation are funded by revenue from technology licensing and the investment of retained funds. Washington Research Foundation has benefited Washington State research institutions by licensing a variety of technologies to industry, including the basis for a hepatitis B virus vaccine, blood clotting factors, recombinant insulin, and wireless technology supporting the "Bluetooth" and other wireless technologies.

3. Washington Research Foundation provides support through gifts and grants for scholarship and research. Washington Research Foundation has made gifts and licensing disbursements to the University of Washington totaling more than $280 million, thus providing

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a substantial return on investment to the taxpayers whose dollars support this institution. The gifts from the Washington Research Foundation have supported the creation of over 100 endowments for chairs, professorships, research fellowships and graduate stipends in science, medicine and engineering, all at reduced or no cost to the taxpayer. Educational programs created and supported by the Washington Research Foundation include the Center for Technology Entrepreneurship (University of Washington Business School) and the Program for Technology Commercialization (University of Washington Bioengineering), all of which substantially benefit society and improve the human condition. The Washington Research Foundation was a founding supporter of technology "gap" funding programs at the University of Washington, the Fred Hutchinson Cancer Research Center, and Washington State University.

4. Defendant Sony Ericsson Mobile Communications AB is a joint venture established under the laws of Sweden and based in the United Kingdom. Defendant Sony Ericsson Mobile Communications (USA) Inc. is a corporation established under the laws of the State of Delaware and based in Research Triangle Park, North Carolina, and is a wholly owned subsidiary of Sony Ericsson Mobile Communications AB. Sony Ericsson Mobile Communications AB, including through its subsidiary Sony Ericsson Mobile Communications (USA) Inc., manufactures and sells wireless electronic devices including cell phones, including selling or offering to sell such devices (including the accused devices) within this judicial district and by conducting other business within this judicial district or elsewhere in the United States that impacts this jurisdiction. Sony Ericsson engaged in correspondence with WRF regarding the merits of WRF's infringement assertions, and ultimately declined to take a license under WRF's Subject Patents and Applications.

5. Sony Ericsson has manufactured, used, imported into the United States, sold and/or offered for sale devices which infringe, or the use of which infringes, at least the

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Asserted Patents. Specifically, and by way of example, Sony Ericsson has manufactured, used, imported into the United States, sold and/or offered for sale products employing unlicensed chipsets that are made by third party semiconductor manufacturer ST-Ericsson (and, on information and belief, certain predecessor or related companies).

6. Defendant LG Electronics, Inc. is a corporation established under the laws of the Republic of Korea and based in Seoul, Korea. LG Electronics Mobilecomm U.S.A., Inc. is a corporation established under the laws of the State of California and based in San Diego, California, and is a wholly owned subsidiary of LG Electronics, Inc. LG Electronics, Inc. including through its subsidiary LG Electronics Mobilecomm U.S.A., Inc., manufactures and sells electronic devices such as cell phones, including selling or offering to sell such devices (including the accused devices) within this judicial district and by conducting other business within this judicial district or elsewhere in the United States that impacts this jurisdiction.

7. LGE has manufactured, used, imported into the United States, sold and/or offered for sale devices which infringe, or the use of which infringes, at least the Asserted Patents. Specifically, and by way of example, LGE has manufactured, used, imported into the United States, sold and/or offered for sale products employing unlicensed chipsets that are made by third party semiconductor manufacturer ST-Ericsson (and, on information and belief, certain predecessor or related companies).

8. Defendant Samsung Electronics Company, Limited is a corporation established under the laws of the Republic of Korea and based in Seoul, Korea. Defendant Samsung Electronics America, Incorporated is a corporation established under the laws of the State of New York and based in the United States, and is a wholly owned subsidiary of Samsung Electronics Company, Limited. Samsung Electronics Company, Limited, including through its subsidiary Samsung Electronics America, Inc., manufactures and sells electronic devices such as

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wireless headsets, including selling or offering to sell such devices (including the accused devices) within this judicial district and by conducting other business within this judicial district or elsewhere in the United States that impacts this jurisdiction.

9. Samsung has manufactured, used, imported into the United States, sold and/or offered for sale devices which infringe, or the use of which infringes, at least the Asserted Patents. Specifically, and by way of example, Samsung has manufactured, used, imported into the United States, sold and/or offered for sale products employing unlicensed chipsets that are made by third party semiconductor manufacturer ST-Ericsson (and, on information and belief, certain predecessor or related companies).

10. Defendant Nokia Corporation is a corporation established under the laws of Finland and based in Espoo, Finland. Defendant Nokia Incorporated is a corporation established under the laws of the State of Delaware and based in the United States, and is a wholly owned subsidiary of Nokia Holding Inc., which is a wholly owned subsidiary of Nokia Corporation. Nokia Corporation, including through its subsidiary Nokia Inc., manufactures and sells electronic devices such as cell phones and wireless headsets, including selling or offering to sell such devices (including the accused devices) within this judicial district and by conducting other business within this judicial district or elsewhere in the United States that impacts this jurisdiction.

11. Nokia has manufactured, used, imported into the United States, sold and/or offered for sale devices which infringe, or the use of which infringes, at least the Asserted Patents. Specifically, and by way of example, Nokia has manufactured, used, imported into the United States, sold and/or offered for sale products employing unlicensed chipsets that are made by third party semiconductor manufacturer ST-Ericsson (and, on information and belief, certain predecessor or related companies).

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II. WASHINGTON RESEARCH FOUNDATION'S LOW IF PATENT PORTFOLIO

12. The University of Washington is the assignee of a portfolio of patents duly and legally issued to Edwin A. Suominen for the inventions claimed therein relating to Low IF radio frequency (RF) receiver technology, including certain Low IF radio frequency receiver technology used in commercially significant Bluetooth®, FM, GSM radio data communication systems, and other Low IF radios. Relevant issued patents include (collectively, the "Subject Patents):

- U.S. Patent 5,937,341, titled "Simplified high frequency tuner and tuning method," filed September 13, 1996, and issued August 10, 1999;
- U.S. Patent 6,427,068, titled "Simplified high frequency tuner and tuning method," filed May 24, 1999, as a division of the '341 Patent, issued July 30, 2002;
- U.S. Patent 6,631,256, titled "Simplified high frequency tuner and tuning method," filed October 27, 2001, as a continuation of the '068 Patent, issued October 7, 2003;
- U.S. Patent 7,116,963, titled "Simplified high frequency tuner and tuning method," filed August 25, 2003, as a continuation of the '256 Patent, issued October 3, 2006;
- U.S. Patent 7,606,542, titled "Simplified high frequency tuner and tuning method," filed June 15, 2005, issued October 20, 2009;
- U.S. Patent 7,606,549, titled "Selective channel tuner and tuning method," filed August 23, 2006, issued October 20, 2009;

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- U.S. Patent 7,639,996, titled "Simplified high frequency tuner and tuning method," filed July 10, 2008, as a divisional of the '542 Patent, issued December 29, 2009;
- U. S. Patent 7,853,225, titled "Simplified high frequency tuner and tuning method," filed), filed on November 9, 2009, is a divisional of the '996 patent, issued December 14, 2010;
- U.S. Patent 7,853,239, titled "Simplified high frequency tuner and tuning method," filed November 9, 2009 as a divisional of the '996 Patent, issued December 14, 2010; and
- U.S. Patent 7,860,482, titled "Simplified high frequency tuner and tuning method," filed November 9, 2009, as a divisional of the '996 Patent, issued December 28, 2010.

The '341, '256, '963, '542, '549 and '225 Patents are hereinafter referred to as "the Asserted Patents."

13. The University of Washington is also the assignee of a portfolio of patent applications naming Edwin A. Suominen as inventor relating to radio frequency (RF) receiver technology, including certain Low IF radio frequency receiver technology used in commercially significant Low-IF radio data communication systems. The relevant allowed applications include (collectively, the " Allowed Applications"):

- U.S. Patent Application 12/170,978, filed on July 10, 2008, allowed January 6, 2011, issuing April 12, 2011, as U.S. Patent 7,925,238;
- U.S. Patent Application 12/614,623, filed on November 9, 2009, allowed January 6, 2011; and

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- U.S. Patent Application 12/484,018, filed on June 12, 2009, allowed February 1, 2011.

Relevant pending applications include (the "Pending Application"):

- U.S. Patent Application 12/749,742, filed March 30, 2010, as a continuation of the '978 Application.

14. Mr. Suominen assigned all right, title and interest in the Subject Patents and Applications to the University of Washington, including the right to sue for past damages. The University of Washington, in turn, exclusively licensed the Subject Patents and Applications to the Washington Research Foundation to include in its patent licensing program and, if necessary, to enforce in the name of the Washington Research Foundation all rights available in law and equity under the Subject Patents and Applications including the right to sue and collect for past infringement.

15. Two of WRF's Asserted Patents have recently been reconfirmed over two separate reexamination requests. An anonymous third-party Requester initially filed a Request for Ex Parte Reexamination identifying Claims 1 – 55 of Patentee's '542 Patent (90/011,063). Later, the same anonymous third-party Requester filed a second Request for Ex Parte Reexamination identifying Claims 18 – 20 of WRF's '341 Patent (90/011,107). These reexamination requests were filed after WRF asserted that Silicon Labs' AERO GSM chipsets infringed the '341 and '542 Patents. Accordingly, WRF believes that the Requests for Ex Parte Reexamination were filed by Silicon Laboratories (now a licensee, *see* paragraph 21, below). As described in paragraph 25, below, ST-Ericsson has acquired the AERO GSM design and now sells the infringing chipsets.

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16. As part of its ongoing patent prosecution of related cases, WRF promptly filed copies of the reexamination requests in each of its pending cases, as well as copies of its responses. WRF encouraged the Examiners of the pending cases to review the arguments therein. Six of those pending applications were subsequently allowed by two independent Examiners. Three cases are now issued as patents (the '225, '239, and '482 Patents). The Allowed Applications (the '978, '623, and '018 Applications) are expected to issue shortly.

17. On March 4, 2011, the USPTO terminated both of the reexamination requests in WRF's favor. WRF expects reexamination certificates to publish shortly. Thus, within the last year, eight patents and applications have been allowed, issued, or confirmed valid over all of the art and arguments presented to WRF during the course of enforcing the patents and in the two ex parte requests for reexamination. In particular, the favorable determination in the '107 Reexamination has significantly strengthened WRF's original '341 Patent. The '341 Patent originally issued on August 10, 1999, prior to WRF's enforcement program. With the citation of art provided by WRF to the Examiner of the '107 Reexamination, WRF's earliest '341 Patent is now confirmed patentable over all of the art and arguments that have been presented to WRF by more than a dozen licensees in the last twelve years.

III. THE LICENSING PROGRAM

18. The Washington Research Foundation has for several years engaged in a program to license the Subject Patents and Applications. In accordance with that program, WRF provided notice of the Subject Patents and Applications (in their various stages of issuance and pendency) to numerous companies that manufactured, imported, sold and/or offered for sale in the United States electronic devices believed to practice the inventions described and claimed in the Subject Patents and Applications. More specifically, WRF advised major companies in several industries that the use of certain unlicensed low IF radio chipsets in products that they

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manufactured, imported, sold and/or offered for sale in the United States would or could result in direct infringement of various claims of the Subject Patents and Applications. WRF provided notice to these companies, and not to the chipset manufacturers, because these companies are the direct infringers; that is, these companies import, sell or offer for sale in the United States products that either infringe device claims, or the use of which infringes method claims of WRF's issued patents. Thus, WRF provided notice of the Subject Patents and Applications to (among others) major corporations in the following industries:

- Automotive industry;
- Cellular Handset industry;
- Computer/Electronics industry,
- Electronics and Consumer Retailers / Distributors, and
- Wireless Module Manufacturers.

These major companies placed on notice by the Washington Research Foundation are referred to collectively as "the Alleged Direct Infringers."

19. A number of the Alleged Direct Infringers informed WRF that they believed certain suppliers of Low IF radio chipsets were at least indirectly responsible for any infringement of the Subject Patents and Applications, and further, that they intended to rely on indemnity obligations from the Low IF radio chipset suppliers. As a result, numerous of the Alleged Direct Infringers declined to accept a license from WRF. On information and belief, a number of the Alleged Direct Infringers provided notice to their respective Low IF radio chipset suppliers of WRF's infringement allegations.

20. Thereafter, several Low IF radio chipset suppliers contacted WRF to discuss the merits of WRF's infringement allegations and the possibility of acquiring a license under the

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Subject Patents and Applications. In addition, WRF initiated discussion with other Low IF radio chipset suppliers.

21. As a result of its licensing efforts, Washington Research Foundation was able to conclude licenses under the Subject Patents and Applications with several Low IF radio chipset companies, including:

- Broadcom Corp.,
- CSR plc,
- Ericsson AB with rights extending to two of its licensees
    - National Semiconductor and
    - Winbond,
- Infineon,
- Marvell Semiconductor, Inc.,
- Silicon Laboratories,
- SiTel Semiconductor BV, and
- TOSHIBA Corp.

These licensed companies are hereinafter referred to as "Licensed Chipset Suppliers." The specific terms and conditions of each license signed with the Licensed Chipset Suppliers are confidential. In general, however, each of the Licensed Chipset Suppliers obtained a license that, among other things, enables its customers to make, import, use, sell or offer for sale in the United States products that include licensed Low IF radio chipsets (as defined by the respective Licensed Fields of each agreement). As a result of these licenses, many of the Alleged Direct Infringers are now indirectly licensed for the subset of their products that use chipsets from the Licensed Chipset Suppliers.

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22. In addition, as a result of the refusal of certain chipset companies to acquire licenses to avoid subjecting their customers to litigation, WRF successfully licensed the Subject Patents and Applications to several of Alleged Direct Infringers, including at least:

- Cisco Systems, Inc.,
- GN Netcom A/S,
- Harman International Industries, Inc., and
- VTech Communications, Inc.

These companies are hereinafter referred to as "Licensed Integrators." The terms and conditions of the licenses signed with the Licensed Integrators are confidential. However, in general, these licenses allow Licensed Integrators to employ in their products infringing Low IF chipsets without regard to whether the chipsets are licensed by the manufacturer under the Subject Patents and Applications.

23. Products manufactured by the Licensed Chipset Suppliers or the Licensed Integrators within the scope of their respective license agreements with WRF are hereinafter referred to as "Licensed Products." WRF does not assert that use of a Licensed Product by any company (including any named Defendant or Alleged Direct Infringer), constitutes infringement of any of the Subject Patents or Applications. Due to the existence of numerous Licensed Products manufactured by the Licensed Chipset Suppliers and Licensed Integrators, each Defendant had and continues to have the ability to avoid infringement of WRF's Asserted Patents.

24. WRF is informed and believes that other Alleged Direct Infringers manufacture, use, import, sell or offer for sale in the United States products that are not Licensed Products that include certain chipsets of at least ST-Ericsson (or its predecessor or related companies). In addition to Alleged Direct Infringers known to WRF, WRF has endeavored without success to

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identify additional companies that directly infringe WRF's patents. However, the identity of chipset suppliers and customers is often held confidential by OEMs and integrators. To avoid continuing loss of potential damages caused by the applicable six year statutory damage limitation, WRF will seek the Court's assistance in discovery to promptly identify those additional direct infringers and, as appropriate, add those direct infringers as specifically named defendants by amended complaint.

25. ST-Ericsson has emerged as an unlicensed supplier of Low IF chipsets after a series of complex corporate transformations that occurred over a period of several years, on information and belief:

- ST-Ericsson was formed on February 3, 2009, after STMicroelectronics N.V. ("STMicro") and Telefonaktiebolaget LM Ericsson ("Ericsson") closed on the agreement merging Ericsson Mobile Platforms and ST-NXP Wireless into a 50/50 joint venture.
- STMicro was an unlicensed Low IF chipset supplier that was created in 1987 by the merger of SGS Microelettronica of Italy and Thomson Semiconducteurs of France.
- ST-NXP Wireless was an unlicensed low IF chipset supplier previously established by STMicro and NXP Semiconductors Netherlands B.V. ("NXP") as an 80/20 joint venture that began operations on August 2, 2008.
- NXP is an unlicensed Low IF chipset supplier founded by Koninklijke Philips Electronics N.V. ("Philips") on September 29, 2006 when Philips sold 80.1% of its semiconductors business to a consortium of private equity investors. NXP acquired Silicon Labs' line of AERO GSM products on or around March 23, 2007. As stated in paragraph 21, above, Silicon Labs acquired a license under

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WRF's Asserted Patents and Applications; however, the license is limited, and applies only to GSM products sold by Silicon Labs prior to March 23, 2007. It therefore does not include AERO GSM products sold by ST-Ericsson, ST-NXP, or NXP.

- Ericsson Mobile Platforms was established in September 2001, and was based on the research and development (R&D) group that developed the core technology for Ericsson's mobile phones throughout the 1990s. Ericsson Mobile Platforms became a Business Unit within Ericsson on January 1, 2005.
- Thus, ST-Ericsson had at least part of its corporate inception in a division of Ericsson. As stated in paragraph 19, above, Ericsson acquired a license under WRF's Subject Patent and Applications; however, the license is limited, and applies only to entities owned or controlled by Ericsson through more than fifty percent of the voting stock or other voting interests as of the Effective Date of that Agreement (i.e., September 8, 2008). It therefore does not include ST-Ericsson.

Over the last several years WRF has engaged in negotiations with each of ST-Ericsson, ST-NXP, and STMicro. During these negotiations, WRF has explained its infringement contentions and offered each of these chipset suppliers a license under WRF's Asserted Patents. To date, each of ST-Ericsson, ST-NXP, and STMicro has failed to take a license that would enable OEM and integrator companies such as the Defendants to manufacture, use, import, sell and/or offer for sale in the United States products employing its respective chipsets.

IV. DEFENDANTS' INFRINGEMENT

26. Sony Ericsson manufactures, uses, imports, sells and/or offers for sale in the United States products employing certain Low IF Bluetooth and FM radio chipsets (including

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the STLC2500C, STLC2500D, STLC2592, and STLC2593 chips, among others) manufactured or sold by ST-Ericsson and, on information and belief, by certain of its predecessor or related companies (including STMicroelectronics and ST-NXP). Specifically:

- Sony Ericsson's C905 phone contains the STLC2593 BT+FM radio;
- Sony Ericsson's K530i phone contains the STLC2590 BT+FM radio;
- Sony Ericsson's K850i phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's TM506 phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's W350a phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's W760 phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's W550i phone contains the STLC2500C BT radio;
- Sony Ericsson's W880i phone contains the STLC2500C BT radio;
- Sony Ericsson's W890i phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's W910i phone contains the STLC2592 BT+FM radio;
- Sony Ericsson's Z310i phone contains the STLC2500C BT radio; and
- Sony Ericsson's Z750a phone contains the STLC2592 BT+FM radio.

The manufacture, use, importation, sale and/or offer for sale in the United States of products by Sony Ericsson that employ at least the identified chips infringe at least (without limitation) claims 7, 8, 9 and 15 of WRF's asserted U.S. Patent 6,631,256; claims 1, 2, 31, 35, 36, 62, and 66 of WRF's asserted U.S. Patent 7,606,542; and claims 19, 27, and 31 of WRF's asserted U. S. Patent 7,853,225.

27. Still further, WRF is informed and believes, but has been unable to confirm from publicly available data, that the manufacture, use, sale and/or offer for sale of products in the United States that incorporate certain FM radio chipsets manufactured by ST-Ericsson and its predecessor company ST-NXP is likely to infringe WRF's Asserted Patents. These FM radio

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chipsets include ***at least*** the TEA5766, TEA5767, TEA5768 radios. WRF has confirmed that Sony Ericsson's K550i CyberShot phones, which are imported, used, sold, and/or offered for sale in the United States and contain at least the ST-Ericsson TEA5766 radio, are asserted to infringe at least (without limitation) claims 13, 15, 35, 36, 37, 38, 52, and 53 of WRF's asserted U.S. Patent 7,116,963; claims 1, 31, 33 and 35 of WRF's asserted U.S. Patent 7,606,542 and claims 19 and 31 of WRF's asserted Patent 7,853,225. In addition, Sony Ericsson's K550i CyberShot phones, if operated in a manner consistent with WRF's information and belief, are asserted to infringe claims 1, 3, 4, 6, 13, 19 and 20 of WRF's U.S. Patent 7,606,549.

28. LGE manufactures, uses, imports, sells and/or offers for sale in the United States products employing certain Low IF Bluetooth and FM radio chipsets (including at least the STLC2500C, STLC2500D, and STLC2593 chips) manufactured or sold by ST-Ericsson and on information and belief certain of its predecessor or related companies (including STMicroelectronics and ST-NXP). Specifically:

- LGE's CF360 phone contains the STLC2500C BT radio;
- LGE's Xenon GR500 phone contains the STLC2500D BT radio;
- LGE's KS500 UMTS phone contains the STLC2500D BT radio; and
- LGE's Secret KF750 phone contains the STLC2593 BT+FM radio.

The manufacture, use, importation, sale and/or offer for sale in the United States of products by LGE that employ at least the identified chips infringe at least (without limitation) claims 7, 8, 9 and 15 of WRF's asserted U.S. Patent 6,631,256; claims 1, 2, 31, 35, 36, 62, and 66 of WRF's asserted U.S. Patent 7,606,542; and claims 19, 27, and 31 of WRF's asserted U. S. Patent 7,853,225.

29. Still further, WRF is informed and believes, but has been unable to confirm from publicly available data, that the manufacture, use, sale and/or offer for sale of products in the

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United States that incorporate certain FM radio chipsets manufactured by ST-Ericsson and its predecessor company ST-NXP is likely to infringe at WRF's patents. These FM radio chipsets include ***at least*** the TEA5766, TEA5767, TEA5768 radios. WRF has confirmed that LGE's KU990 Viewty phone, which is imported, used, sold, and/or offered for sale in the United States and contains at least the ST-Ericsson TEA5766 radio, is asserted to infringe at least (without limitation) claims 13, 15, 35, 36, 37, 38, 52, and 53 of WRF's asserted U.S. Patent 7,116,963; claims 1, 31, 33 and 35 of WRF's asserted U.S. Patent 7,606,542 and claims 19 and 31 of WRF's asserted Patent 7,853,225. In addition, LGE's KU990 Viewty phone, if operated in a manner consistent with WRF's information and belief, is asserted to infringe claims 1, 3, 4, 6, 13, 19 and 20 of WRF's U.S. Patent 7,606,549.

30. Samsung manufactures, uses, imports, sells and/or offers for sale in the United States products employing certain Low IF GSM radio chipsets (including at least the AERO4223 GSM chips) manufactured or sold by ST-Ericsson and, on information and belief, by certain of its predecessor or related companies (including STMicro and ST-NXP). Specifically:

- Samsung's SGH-A187 phone contains the AERO4223 GSM radio; and
- Samsung's SGH-T249 phone contains the AERO4223 GSM radio.

The manufacture, use, importation, sale and/or offer for sale in the United States of products by Samsung that employ at least the identified chips infringe at least (without limitation) claims 18 and 20 of WRF's asserted U.S. Patent 5,937,341; claims 36, 37 and 38 of WRF's asserted U.S. Patent 7,116,963; claims 1, 2, 26, 31, and 35 of WRF's asserted U.S. Patent 7,606,542; and claims 19, 24, 27, 31, 35, 36, 38, and 40 of WRF's asserted U. S. Patent 7,853,225.

31. Additionally, Samsung's SGH-A197, SGH-T139, and SGH-A107 phones contain ST-Ericsson's PNX series of chips. On information and belief these chips are based on ST-

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Ericsson's "industry-leading Aero transceiver core." *See, e.g.*, http://www.stericsson.com/portfolio_archive/gsm_gprs_4902.jsp. If the AERO-based PNX chips operate in a manner consistent with WRF's information and belief, they are asserted to infringe (without limitation) claims 18 and 20 of WRF's asserted U.S. Patent 5,937,341; claims 36, 37, and 38 of WRF's asserted U.S. Patent 7,116,963; claims 1, 2, 26, 31, and 35 of WRF's asserted U.S. Patent 7,606,542; and claims 19, 24, 27, 31, 35, 36, 38, and 40 of WRF's asserted U. S. Patent 7,853,225.

32. Nokia manufactures, uses, imports, sells and/or offers for sale in the United States products employing certain Low IF FM radio chipsets (including at least the TEA5760UK chip) manufactured or sold by ST-Ericsson and, on information and belief, by certain of its predecessor or related companies (including STMicro and ST-NXP). Specifically, Nokia's 1661 phone contains the TEA5760UK FM radio. The manufacture, use, importation, sale and/or offer for sale in the United States of products by Nokia that employ at least the identified chips infringe at least (without limitation) claims 13, 15, 35, 36, 37, 38, 52 and 53 of WRF's asserted U.S. Patent 7,116,963; claims 1, 31, 33 and 35 of WRF's asserted U.S. Patent 7,606,542; and claims 19 and 31 of WRF's asserted Patent 7,853,225. In addition, Nokia's 1661 phone, if operated in a manner consistent with WRF's information and belief, is asserted to infringe claims 1, 3, 4, 6, 13, 19 and 20 of WRF's U.S. Patent 7,606,549.

33. Additionally, Nokia's N8 phone contains ST-Ericsson's "RF Transceiver." *See* http://www.isuppli.com/Teardowns/News/Pages/Nokia-N8-Smart-Phone-Matches-iPhone-4-Costs-iSuppli-Teardown-Reveals.aspx. If the ST-Ericsson GSM "RF Transceiver" is based on the AERO GSM design and operates in a manner consistent with WRF's information and belief, it is asserted to infringe (without limitation) claims 18 and 20 of WRF's asserted U.S. Patent 5,937,341; claims 36, 37 and 38 of WRF's asserted U.S. Patent 7,116,963; claims 1, 2, 26, 31,

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and 35 of WRF's asserted U.S. Patent 7,606,542; and claims 19, 24, 27, 31, 35, 36, 38, and 40 of WRF's asserted U. S. Patent 7,853,225.

34. WRF will employ the tools of discovery to determine what, if any, other products of Sony Ericsson, LGE, and Samsung infringed in the past six years due to the use of Low IF chipsets manufactured or sold by ST-Ericsson or its predecessors, including STMicro and ST-NXP. WRF will also employ the tools of discovery to determine which of the (other) Alleged Direct Infringers similarly infringed during the past six years due to the use of Low IF chipsets manufactured or sold by ST-Ericsson and its predecessors (including STMicro, and ST-NXP), before seeking to add such infringers as additional defendants herein.

35. Defendants' use of chipsets that include inventions claimed in WRF's Asserted Patents significantly increases the sales price and revenue associated with those products. For example, cell phones and other devices that are FM, and/or Bluetooth®-enabled carry a significantly higher retail price, and generate more revenue, per item as compared to their counterparts that are not FM and/or Bluetooth®-enabled.

36. Since at least the issuance of the Asserted Patents, Defendants have infringed, induced or contributed to the infringement of the Asserted Patents, in violation of 35 U.S.C. § 271, with resultant damage to Washington Research Foundation, in an amount to be proven at trial.

37. Moreover, Defendants, with actual knowledge of the Subject Patents and Applications, and without lawful justification, willfully and deliberately infringed at least the Asserted Patents.

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WHEREFORE, WASHINGTON RESEARCH FOUNDATION PRAYS FOR:

38. Judgment on the Complaint that Defendants, and each of them, have infringed, contributed to the infringement of, or actively induced others to infringe U.S. Patents 5,937,341; 6,631,256; 7,116,963; 7,606,542; 7,606,549; and 7,853,225

39. That a permanent injunction be issued enjoining and restraining Defendants, and each of them, and their officers, directors, agents, servants, employees, attorneys, licensees, successors, assigns, and those in active concert and participation with them, and each of them, from making, using, selling, offering for sale, or importing any products which infringe any or all claims of at least the Asserted Patents, and from inducing or contributing to the infringement of any such claims by others;

40. An award of damages against Defendants, and each of them, adequate to compensate Washington Research Foundation for past infringement of at least the Asserted Patents, together with interest and costs as fixed by the Court, such damages to be trebled because of the willful and deliberate character of the infringement;

41. Judgment that this case is "exceptional" in the sense of 35 U.S.C. § 285, and that Washington Research Foundation is entitled to an award of its reasonable attorneys' fees in the prosecution of this action; and

42. Such other and further relief as the Court may deem just and proper.

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DEMAND FOR JURY TRIAL

Plaintiff hereby makes a demand for a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure as to all issues in this lawsuit.

RESPECTFULLY SUBMITTED this 15th day of April, 2011.

BLANK LAW & TECHNOLOGY P.S.

By: */s/ C. Dean Little*

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